UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/612,565	07/07/2000	Nobuhiko Maki	35.C14627	9229

5514   7590   02/08/2007
FITZPATRICK CELLA·HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
DENNISON, JERRY B

ART UNIT	PAPER NUMBER
2143	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	09/612,565	MAKI ET AL.
	Examiner	Art Unit	
	J. Bret Dennison	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>15 November 2006</u>.

2a) ☐ This action is **FINAL**.　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,2,4,7,8,21,22,29,31-41,44-46,48 and 49* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1,4,7,21,29,31-41,44-46,48 and 49* is/are rejected.

7) ☒ Claim(s) *2, 8, 22* is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)　　　　4) ☐ Interview Summary (PTO-413)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)　　　　Paper No(s)/Mail Date. _____.

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)　　5) ☐ Notice of Informal Patent Application

　　Paper No(s)/Mail Date _____.　　　　6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1.   This Action is in response to the Amendment for Application Number 09/612,565

received on 11/15/2006.

2.   Claims 1, 2, 4, 7, 8, 21, 22, 29, 31-41,44-46, 48, and 49 are presented for .

examination.

3.   The prosecution of this case has been transferred to another Examiner. All

corresponding communications should be directed to Examiner's contact information

provided below.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

11/15/2006 has been entered.

Claim Objections

Claim 49 is objected to because of the following informalities: Claim 49 reads "A

storage medium according to claim 21". Examiner believes claim 49 may have been

mistakenly dependent on claim 21, and should have been dependent on claim 29.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4, 7, 21, 29, 31-41, 44-46, 48, and 49 are rejected under 35 U.S.C.

103(a) as being unpatentable over Gong et al. (U.S. 6,865,576) in view of Iida (U.S.

2004/0196508).

4.   Regarding claims 1, 7, 21, and 29, Gong disclosed a database schema for

storing application data in a relational database backing store of a directory service in

which the entries have multiple value attributes in the directory service in order to

extend the LDAP attribute schema (Gong, col. 2, lines 40-55). Clients connect to

multiple network databases through an LDAP server, in which the databases contain

the directory information. From the user's prospective, the LDAP server stores all the

information, and the user does not know the database in which the data is actually

located (Gong, col. 4, lines 47-57). The server therefore has the ability to respond to

client requests with multi-value attributes such as country code (Gong, col. 5, lines 25-

36).

As explained in Applicant's instant specification, the LDAP protocol is used to

"efficiently find various resources on [a] network, and utilize the resources... Therefore,

by utilizing the directory service and searching the device connected to the network, a

list of network addresses of usable devices on the network can be obtained" (see

Applicant's Specification, page 1, lines 10-20).

Since Gong uses an extended version of the LDAP protocol (Gong, col. 2, lines

45-50), it is inherent that when using the invention of Gong and making requests to the

LDAP server, the LDAP server provides network addresses of the device.

Therefore, it is clear that based on a client request (Gong, col. 4, lines 58-67,

client/server, and handling requests), the LDAP server of Gong provides both

geographical location information (Gong, col. 5, lines 25-35, i.e. country code) and

network addresses (Gong, col. 2, lines 40-45, the use of LDAP as explained above in

reference to instant specification) in order to "provide end users with a rich information

data warehouse that allows them to access department or company employee data, as

well as resource information, such as name and **location** of printers, copy machines,

and other environment resources.(Gong, col. 1, lines 30-40).

Gong did not explicitly state after receiving the information regarding the device,

that the client goes out and connects to the device. However, it would have been

obvious to one of ordinary skill in the art at the time the invention was made that the

client would use this information for an actual purpose, such as actually using for

example a printer (Gong, col. 1, lines 30-40) "and utilizing the resources" as admitted by

the Applicant (See Applicant's instant Specification, page, 1, lines 10-29, using LDAP to

find resources and "utilize them").

Gong did not explicitly state the device comprising storing icon data indicating an

icon for visually representing said device, or a control unit, adapted to transmit the icon

data to the client.

However, in an analogous art, Iida disclosed a communication apparatus

connected to a terminal via a network that detects information regarding the apparatus,

including status information, stored on a memory of the apparatus (Iida, Apstract) which

provides the status information to the terminal, the status information, in one example,

in the form of a printer status icon composed of a symbol mark for displaying a printer

symbol (Iida, paragraph 72).

Gong provides for an extended LDAP server for clients to locate devices, such as

printers. Iida provides for a client connected to a device such as a printer. Since LDAP

is used to locate devices such as printers and utilize their resources (see Applicant's

Specification, page 1, lines 10-20), it would have been obvious to modify Gong to

provide the resources of Iida.

Therefore, it would have been obvious for one of ordinary skill in the art at the

time the invention was made to modify the teachings of Gong to "utilize the resources"

of the printer in Iida, making it possible to present a status icon in which the latest status

of the device is reflected to the client (Iida, paragraph 16) to notify the client in a user

friendly manner to indicate for instance, that the printer is out of paper (Iida, paragraph

72).

Claim 1 includes a network system comprising a server, a client, and a device,

each storage units, transmission units, reception units and control units to implement

the functionality explained above. While Gong does not explicitly point out such units, it

is inherent that in order for the client and server to perform such functionality, that these

units must exist. The client and server of Gong must include transmission units to send

requests and responses, and they must also include storage to at least read/store the

data. Otherwise, operation of the invention would not occur. Iida clearly shows the

device having memory for storing the icon data and a control unit to transmit the icon

data, as disclosed above.

Claim 7 recites an information processor (the client) including limitations that are

substantially similar to the limitations in claim 1, and is therefore rejected under the

same rationale.

Claim 21 recites a method of displaying an icon for a device, the method

including limitations that are substantially similar to the limitations in claim 1, and is

therefore rejected under the same rationale.

Claim 29 recites a storage medium storing program code including limitations

that are substantially similar to the limitations in claim 1, and is therefore rejected under

the same rationale.

5.   Regarding claim 4, Gong and Iida disclosed the limitations, substantially as

claimed, as described in claim 1, including wherein said device further comprises a

judgment unit, adapted to judge a status of said device, said second storage unit stores

a plurality of icon data each of which corresponds to the status of said device, and said

control unit selects the icon data in accordance with the judged status from the plurality

of stored icon data and transmits the selected icon data to said client (Iida, see abstract, detecting updated status, paragraph 72, different icons representing different status).

Regarding claim 31, Gong and Iida disclosed the limitations, substantially as claimed, as described in claim 1, including

Gong did not explicitly state after receiving the information regarding the device, wherein said client further comprises a processor unit adapted to process the received position information to identify a device corresponding to the received position information, and wherein said second transmission unit transmits the request to the identified device.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the client would use this received information for an actual purpose, such as actually using for example a printer (Gong, col. 1, lines 30-40) "and utilizing the resources" as admitted by the Applicant (See Applicant's instant Specification, page, 1, lines 10-29, using LDAP to find resources and "utilize them").

6.   Regarding claims 32 and 36, Gong and Iida disclosed the limitations, substantially as claimed, as described in claims 1 and 21. Gong and Iida did not explicitly state wherein the position information indicates at least two geographical areas in which said device is located, a first one of the geographical areas being included within another of the geographical areas.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that based on one geographic location, one could determine an outer geographic location, for example, given the country code (Gong, col. 5, lines 25-36), one can determine what continent the country is located. Therefore, it would have been obvious to provide the continent as well. Therefore, it would have been obvious to one of ordinary skill in the art that if provided a location of a device, it would have been obvious to use the same functionality to provide a second location of that device.

7.   Claims 33 and 37 include limitations substantially similar to claims 1 and 21, i.e. making a request to the device and receiving icon data from the device, and is therefore rejected under the same rationale as claim 1.

8.   Claims 34 and 38 includes limitations substantially similar to claims 1 and 21, i.e. requesting a server to search for a desired device (LDAP) and receiving position information in response (explained in the above claim 1 rejection), and is therefore rejected under the same rationale as claim 1.

9.   Claim 35 includes limitations substantially similar to claims 1, i.e. processing the received information to identify a device and making a request to the device, and is therefore rejected under the same rationale as claim 1.

10.   Regarding claims 39, 40, 41 Gong and Iida disclosed the limitations, substantially

as claimed, as described in claims 1, 7, 21, including wherein said display unit displays

the location of said device defined by the position information received by said first

reception unit (Gong, col. 1, lines 30-40). Gong and Iida did not explicitly state

displaying the location in characters. However, using characters to display data was

well known in the art at the time the invention was made. Therefore it was within the

level of one of ordinary skill in the art to use characters to display this data as it was a

standard practice at the time of the invention.

11.   Regarding claim 44, Gong and Iida disclosed the limitations, substantially as

claimed, as described in claim 1, including wherein the position information defining the

geographical location of said device comprises information that defines the

geographical location of said device in a plurality of hierarchical layers (Gong, col. 11,

lines 15-25).

12.   Regarding claims 45, 46, 48, and 49, Gong and Iida disclosed the limitations,

substantially as claimed, as described in claim 1, 7, 21, 29, including wherein the

position information defining the geographical location of said device comprises

information selected from the group consisting of (a) information defining which of plural

companies' facility said device is in, (b) information defining which of plural cities said

device is in, (c) information defining which of plural building said device is in, (d)

information defining which of plural floors of a building said device is on, and (e)

information defining which of plural locations on a floor said device is in (Gong, col. 1,

lines 30-40).

Allowable Subject Matter

Claim 2, 8, 22 objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in

the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

applied to specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the prior art
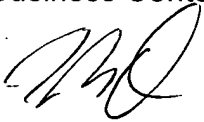
or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully

requested to indicate the portion(s) of the specification which dictate(s) the structure

relied on for proper interpretation and also to verify and ascertain the metes and bounds
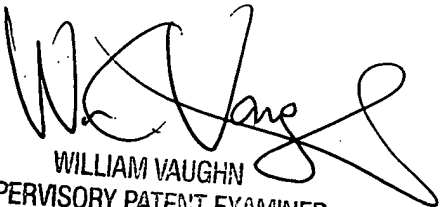
of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (571) 272-3910. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. B. D.
Patent Examiner
Art Unit 2143

WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100